Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: July 7, 2005	Bureau/Station/Facility: Century Station	Admin. Invest.? ☐ Hit? ☒

Incident Information

URN: 005-11602-2141-013	Date: July 7, 2005 Time: 11: 40 Hrs.
City or Station: Los Angeles (Unincorporated)	Nature of Incident: Deputies Garcia and Rojas observe a suspicious male and when they attempted to contact him, the suspect pointed a handgun at the deputies. Fearing for their safety, Deputies Rojas and Garcia retuned fire. The suspect hid behind a shed. The suspect scaled on top of a block wall, pointed his handgun again at the deputies. The deputies returned fire striking the suspect. The suspect was located deceased in a rear yard.
Location: [redacted] Cook Street	

Location Type (*circle one or more*): **Backyard**, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, Street, Other: ______

Lighting (*circle only one*): Darkness, **Daylight**, Other, Street Lights

Weather (*circle only one*): **Clear**, Cloudy, Fog, Rain

Distance: Approx. 50 feet

Incident Type (*circle one or more*): Accidental, **Armed Person**, **Fleeing Suspect**, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, **Observation**, One Person Unit, Other, Search Warrant, **Two Person Unit**

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **Routine Patrol**

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
23	0

Aero Unit? ☒ Canine Unit? ☒

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name [redacted]		First Name [redacted]		M.I.	
Street Address [redacted]	City [redacted]	Zip Code	Work Ph [redacted]	Home Ph	
Last Name [redacted]		First Name [redacted]		M.I.	
Street Address [redacted]	City [redacted]	Zip Code	Work Ph	Home Ph [redacted]	
Last Name [redacted]		First Name [redacted]		M.I.	
Street Address [redacted]	City [redacted]	Zip Code	Work Ph	Home Ph [redacted]	

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
				On Duty, Present during shooting, Witness to shooting, Involved in shooting
[redacted]	Ratto	John		**On Duty**, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Berumen	George	

PSTD Use Only

SH # 2150710

SH-R-438A rev. 3/97

See Reverse

Officer Involved Shooting

URN: 005-11602-2141-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
July 7, 2005	1440	07-08-05	

Employee #	Last Name	First Name	M.I
[redacted]	Lee	Stacy	L
[redacted]	Stunson	David	
[redacted]	Landreth	Larry	L

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FH	BR	9	N	N	NN	NA
S#1	E#2	FH	BR	9	N	N	NN	NA
E#1	S#1	FH	BR	9	Y	Y	GS	HE
E#2	S#1	FH	BR	9	Y	Y	GS	BT

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 005-11602-2141-013

Involved Employee

E 1

Employee # [redacted]	Last Name: Garcia	First Name: Noe	M.I.
Sex: M Race: Hispanic	Rank: DSG	Unit Assignment: CEN	Work Assignment (Unit #, Module, etc.): 213B
ShiftTime (*circle only one*): EM PM **(Day)**	ShiftType (*circle only one*): **(Regular)** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **(Uniform w/ Vest)**	Other Factors: No laser sights
Age: 34 Height: 5-10 Weight: 180			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: CEN	Prior Shootings? ☒ Number of Prior Shootings: 2
Field Training Officer Emp # [redacted]			M.I. [redacted]
Field Training Officer Emp # [redacted]			M.I. [redacted]

E 2

Employee # [redacted]	Last Name: Rojas	First Name: Jose	M.I. J
Sex: M Race: Hispanic	Rank: DSG	Unit Assignment: CEN	Work Assignment (Unit #, Module, etc.): 213B
ShiftTime (*circle only one*): EM PM **(Day)**	ShiftType (*circle only one*): **(Regular)** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **(Uniform w/ Vest)**	Other Factors: No laser sights
Age: 34 Height: 6-00 Weight: 240			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? ☒	Certification Unit: CEN	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]			M.I.
Field Training Officer Emp # [redacted]			M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 005-11602-2141-013

Suspect Information

S 1

Last Name: Padilla	First Name: Johnny	M.I.: A
AKA Last Name: Gomez	First Name: Leo	M.I.: A

Sex: M Race: Hispanic	Street Address: [redacted]	City: [redacted]	[redacted]
Work Phone: None	Home Phone: unk.	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 26 D.O.B. 08-05-1978	Height: 5-10 Weight: 135	FBI #: [redacted]	CII #: [redacted]
Booking #: N/A	Primary Charge: 664/187 PC	Secondary Charge:	
Coroner Case? [X]	Coroner Case #: 2005-05110	Intoxication/Drug Usage? [X]	Substance Used: Methamphetamine/Cocaine
Armed? [X]	Apprehended? [X]	Mental Illness? [ ]	Criminal History? [redacted]
Vehicle Make: Ped.		Model:	Year:

S__

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? [ ]	Coroner Case #:	Intoxication/Drug Usage? [ ]	Substance Used:
Armed? [ ]	Apprehended? [ ]	Mental Illness? [ ]	Criminal History? [ ]
Vehicle Make:		Model:	Year:

S__

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? [ ]	Coroner Case #:	Intoxication/Drug Usage? [ ]	Substance Used:
Armed? [ ]	Apprehended? [ ]	Mental Illness? [ ]	Criminal History? [ ]
Vehicle Make:		Model:	Year:

S__

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? [ ]	Coroner Case #:	Intoxication/Drug Usage? [ ]	Substance Used:
Armed? [ ]	Apprehended? [ ]	Mental Illness? [ ]	Criminal History? [ ]
Vehicle Make:		Model:	Year:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]			[redacted]
[redacted]	[redacted]		[redacted]			[redacted]
		R				

COUNTY OF LOS ANGELES
SHERIFF"S DEPARTMENT

HIT SHOOTING - SUSPECT DECEASED
DIRECTED CANINE BITE
EVALUATION

UNIT:	Century Station Patrol
DATE:	July 7, 2005 (Wednesday)
TIME:	1140 hours
LOCATION:	[redacted] Cook Street, Los Angeles (Unincorporated County Area), CA
URN#:	005-11602-2141-013
IAB#:	SH 2150710

NATURE OF
INCIDENT: On July 7, 2005, at 1140 hours, Deputies Jose Rojas and Deputy Noe Garcia were involved in a hit deputy involved shooting. Deputies Garcia and Rojas, Unit 213B Days, were assigned to handle a "Disturbance" call at the car wash which was located at 234 East El Segundo Boulevard. Apparently, three male blacks had been identified as creating a disturbance. The deputies arrived at the car wash, but were told the males described in the call left the scene.

Deputies Rojas and Garcia then drove south on Cook Street from the car wash in an attempt to locate them. They turned east on 130th Street from Cook Street, made a U-turn, and turned back around to northbound Cook Street. As the deputies drove northbound, they saw a male Hispanic with a white baseball hat, walking southbound on the west sidewalk.

This male, later identified as Suspect Padilla, looked directly at them, stopped, and jumped over the wrought iron fence in the front yard of [redacted] Cook Street. He then ran westbound in the driveway south of the residence and into the backyard. Due to the suspect's actions, the deputies stopped their radio car, exited, and walked through the open gate of the driveway of that residence in an attempt to contact the suspect.

As the deputies were walking down the driveway, they heard noises in the back yard. They drew their duty weapons as they approached the back yard. When Deputies Rojas and Garcia reached the southwest corner of the house, they saw Suspect Padilla standing alongside a wall next to a metal shed in the north west corner of the backyard. The suspect turned to his right, raised a handgun and pointed it at them. Fearing for their safety, both deputies fired at the suspect.

After the deputies fired, the suspect went between the shed and the block wall out of their view. The deputies could hear the suspect behind the shed. Suddenly, they saw the suspect as he started to climb the west wall in the northwest corner of the lot behind the shed. When the suspect reached the top of the wall, he turned and again pointed a handgun at the deputies. The

deputies, again believing the suspect was going to shoot them, fired at him. The suspect then went over the wall and out of view.

The deputies advised what had occurred over the radio and coordinated responding units to contain the area. During the subsequent search by a canine team, the suspect was located and apprehended by the police service dog in the rear yard of [redacted].

Suspect Padilla sustained a gunshot wound to the head and two gunshot wounds to the lower torso. He was pronounced dead at the scene.

Suspect Padilla's weapon, a chrome colored Beretta, 92FS, semi-automatic pistol, was recovered at the scene. It contained one live round in the chamber, and fourteen live rounds in the magazine.

Internal Affairs Bureau was notified at 1315 hours, and Sergeants Larry Landreth and David Stunson, along with Lieutenant Stacy Lee, of the Internal Affairs Bureau responded to the command post at El Segundo Boulevard and Cook Street, in the unincorporated area of Los Angeles. When the investigators arrived, Homicide Bureau personnel were at the scene investigating the incident.

On April 19, 2006, Deputy District Attorney Elizabeth Munisoglu issued a Letter of Opinion regarding the deputy involved shooting incident. In her review of the shooting, D.D.A. Munisoglu deemed Deputies Garcia and Rojas acted lawfully in self-defense and in the defense of others.

The following summary is based on verbal and written statements from the involved deputies, civilian and employee witness statements.

INVOLVED PERSONNEL:

GARCIA, NOE, Deputy Sheriff, #[redacted]
Century Station
Patrol Operations, Region II

EMPLOYEE WORK HISTORY:

Date of Employment:	05-25-1994
Date assigned to Patrol/Custody:	[redacted]
Completed Patrol/Custody Training:	[redacted]
Prior Shooting Incident(s):	2, (1) 12-31-2000, SH2026781, CEN, Unarmed Person, and (2) 02-23-2004, SH2110176, CEN,

Unarmed Person, Fleeing Suspect, Recv'd discipline for tactics(IV 2126064)

Prior Founded Force Incidents: [redacted]

ROJAS, JOSE J. Deputy Sheriff, #[redacted]
Century Station
Patrol Operations, Region II

EMPLOYEE WORK HISTORY:

Date of Employment: 09-27-1995
Date assigned to Patrol/Custody: [redacted]
Completed Patrol/Custody Training:
Prior Shooting Incidents:

Prior Founded Force Incidents: [redacted]

INGRESO, ROMEO , Deputy Sheriff, #[redacted]
Special Enforcement Bureau Canine Team
Office of Homeland Security

EMPLOYEE WORK HISTORY:

Date of Employment: 5-11-1990
Date assigned to Patrol/Custody: [redacted]
Completed Patrol/Custody Training:

Prior Shooting Incidents:
Prior Founded Force Incidents:

SUSPECT(S):

PADILLA, Johnny Alfred, MH/26 yrs. DOB: 08-05-1978, 5'-10", 135 lbs., black/black
[redacted]

C.I.I. #[redacted]**Main #**[redacted] **FBI #**[redacted]**CDC#**[redacted]

Suspect Padilla had an extensive criminal history, and was confined to state prison twice. Padilla's convictions were for weapon violations, narcotic violations, robbery, cargo theft, assaults in prison and parole violations. At the time of the shooting Suspect Padilla was on parole.

IAB Note: A check of chemical substances was performed by the Los Angeles County Coroner's Office. Suspect Padilla was found to have trace amounts of Methamphetamine, Cocaine and Marijuana in his system.

CIVILIAN WITNESSES:

1. [redacted]
2.
3
4.
5.

INJURIES:

Suspect

Suspect Padilla sustained a fatal gunshot wound to the head, and on to the right hip. He also sustained gunshot wounds to the rear of his right leg and left buttock area. Suspect Padilla sustained dog bite injuries to the head, neck, and face.

WEATHER AND LIGHTING CONDITIONS:

Daylight, clear, with little or no clouds.

WEAPONS USED BY SUSPECT(S):

SUSPECT Padilla was armed with a Beretta 92FS, semi-automatic pistol, 9mm, serial number [redacted] with one live round in the chamber and fourteen live rounds in the magazine. The weapon was recovered from the scene.

WEAPON(S) USED BY DEPUTY PERSONNEL:

DEPUTY NOE GARCIA
Service Weapon - Berretta, 92F (Serial Number [redacted]), Double Action Semi automatic Pistol, 9mm Luger
Type Of Ammunition- Winchester Brand Ranger "T", 9 mm Luger cartridges.

Ammunition- Fifteen rounds fired, one round left in the weapon.
Shells - A total of thirty 9mm casings were located and recovered at the scene.
Date Employee Last Qualified: (PDC Range) [redacted]
Date Last Trained With Weapon: (Laser up-date) [redacted]

Lab Receipt No. J653856 Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (Refer to Exhibit A, page 121)

DEPUTY JOSE J. ROJAS
Service Weapon- Berretta, 92F (Serial Number [redacted]), Double Action Semi automatic Pistol, 9mm Luger
Type Of Ammunition- Winchester Brand Ranger "T", 9 mm Luger cartridges.
Ammunition- eight rounds fired and eight left in the magazine and weapon.
Shell Casings- A total of thirty shell casings were located at the scene.
Date Employee Last Qualified: (Mobile Range) [redacted]
Date Last Trained With Weapon:

Lab Receipt No. J653856 Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (Refer to Exhibit A, page 121)

INVOLVED DEPUTY(S) STATEMENTS:

GARCIA, Noe, Deputy Sheriff, #[redacted]
Deputy Noe Garcia was interviewed by Homicide Investigators Steven Lankford and Rick Graves on 07-07-2005, at 1757 hours. The interview took place at Century Station, and he was represented by Mr. Richard Shinee of the Law Firm Green & Shinee, Counsel for ALADS. Deputy Garcia was interviewed by Sergeants Larry Landreth and Tim Carr of the Internal Affairs Bureau on July 26, 2006. Both interviews were recorded for review and the following is a summary of what Deputy Garcia told investigators.

Deputy Garcia said he and his partner (Deputy Rojas)were assigned as 213B/Days. Deputy Garcia said he was the driver and Deputy Rojas was the bookman. Deputy Garcia said at around 1000 hours, they assisted Compton units in a containment of a "Carjacking" suspect in the Compton area. Deputy Garcia said after they assisted Compton, they drove back into their area and received a "Disturbance Call" at 234 El Segundo Boulevard at a car wash **(Refer to Exhibit C-1)**. Deputy Garcia said the call was regarding three to four male blacks loitering at the location and causing a disturbance with customers. Deputy Garcia said they drove through the car wash and saw no one matching the description given in the call. Deputy Garcia said he drove southbound on Cook Street to see if he could spot the male blacks. He said as they drove on Cook Street he remembered seeing some people on the eastside of the street and one person working on his car on the eastside of Cook Street. Deputy Garcia said he drove to 130th Street and continued east on 130th Street to drive out-of-sight of anyone on Cook Street **(Refer to Exhibit C-1 through C-3)**. He said he made a U-turn and came back to Cook Street to check the street again. Deputy Garcia said he has worked in this area for about three and a half years, and during that time has made arrests for possession of drugs, stolen cars and has

seen a lot of gang activity.

Deputy Garcia said as he was driving northbound on Cook Street from 130th Street, he saw a male Hispanic walking southbound on Cook Street on the west sidewalk. He said the male Hispanic (later identified as Suspect Padilla) was wearing a ball cap, white t-shirt and blue pants. Deputy Garcia said he made eye contact with the male Hispanic and the male continued walking southbound. He said as he got closer to the male Hispanic, the male suddenly jumped over a wall with wrought iron on top of the wall. Deputy Garcia said the wall was in the front yard at [redacted] Cook Street **(Refer to Exhibit C-5)**. He thought the male Hispanic was south of the mail box, when he jumped over the front yard wall. The male continued running westbound down the driveway and out-of-sight beyond the southeast corner of the residence. Deputy Garcia said he stopped his car and he and his partner got out of the car. Deputy Garcia said he walked to the gate at the driveway and rolled it open. He and his partner began to walk down the driveway between the parked cars and the side of the house. He said he and Deputy Rojas utilized the house as cover while watching where the suspect was last seen. Deputy Garcia said Deputy Rojas was slightly behind him and closer to the house. Garcia said he visually cleared the parked cars in the driveway as they passed **(Refer to Exhibit C-6)**. Deputy Garcia said he had his gun out of his holster. He also said he had heard rattling noises coming from the back yard, noises he said he recognized as a metal shed from previous experience.

Deputy Garcia said when he got to the end of the driveway and the edge of the house, he saw the suspect standing near a shed door in the northwest corner of the yard. The suspect was standing to the north, with a handgun in his right hand **(Refer to Exhibits C-6 and C-8)**. Deputy Garcia said he yelled, "Gun" to his partner. Deputy Garcia said the suspect turned in his direction and raised the gun **(Refer to Exhibit C-11)** in the direction of him and his partner. Fearing for his safety, Deputy Garcia said he fired six to eight shots at the suspect. Deputy Garcia said he stopped firing when he believed the suspect had been hit and had ran around to the rear of the shed. Garcia said he heard Deputy Rojas fire at the suspect. Deputy Garcia said he heard Deputy Rojas radio they had been involved in a shooting. Garcia said after the suspect ran behind the shed they both maintained cover on the shed, he covered the north half while Rojas covered the south half **(Refer to Exhibit C-9)**. Garcia said he and Deputy Rojas remained behind the west side of the residence, using the solid wall as cover. A few seconds later, the suspect popped up above the shed and climbed onto the wall. Deputy Garcia said the suspect appeared to be caught up in the barbed-wire on top of the wall and again pointed his gun at them, while he tried to get over the wall. Deputy Garcia again fired seven to nine rounds at the suspect. Deputy Garcia said the suspect then went over the wall on the westside. Deputy Garcia said after the shooting, he and his partner retreated back to the rear of a parked car. Garcia dropped down behind the rear bumper and tactically reloaded his weapon while Deputy Rojas covered the rear wall. Once Garcia had placed a new magazine in his weapon, he covered the area while Deputy Rojas reloaded a new magazine. They both went back to the front of the house where their car was parked, continuously covering the rear yard, and began to set up a containment of the area. Garcia said his backdrop was the block wall behind the suspect and the metal shed.

Deputy Garcia said he remained behind their radio car while Deputy Rojas took up a position at Cook Street and El Segundo Boulevard. Garcia said he had a visual on Rojas the entire time and they remained in their positions until they were relieved by assisting units.

Deputy Garcia said while the containment was going on, he heard over the radio that an air unit had spotted the suspect just west of where the suspect had gone over the wall. Deputy Garcia was eventually taken to where the suspect was found. Deputy Garcia identified the suspect as the same person who had pointed the gun at him and his partner.

ROJAS, Jesus J., Deputy Sheriff, #[redacted]

Deputy Jesus Jesse Rojas was interviewed by Homicide Investigators Steven Lankford and Rick Graves on 07-07-2005, at 1725 hours. The interview took place at Century Station, and he was represented by Mr. Richard Shinee of the Law Firm Green & Shinee, Counsel for ALADS. Deputy Garcia was interviewed by Sergeants Larry Landreth and Jack Ramirez of the Internal Affairs Bureau on July 26, 2006. Both interviews were recorded for review and the following is a summary of what Deputy Rojas told investigators.

Deputy Rojas said he and Deputy Garcia were assigned as 213B/Days and assigned to the Willowbrook/Athens area of Los Angeles County. Deputy Rojas said he was the bookman and Garcia was the driver. Deputy Rojas said just before the shooting they had received a "Disturbance Call" at the car wash at El Segundo and Cook Street. The call indicated three male blacks were causing a disturbance with the customers. Deputy Rojas said they drove through the car wash and did not see a disturbance. They left the car wash and headed southbound on Cook Street to see if they could find the three male blacks indicated in the call. They drove south to 130th Street and headed east. Deputy Rojas said that they made a U-turn and went back northbound on Cook Street to try and locate the male blacks. Deputy Rojas said as they were traveling northbound on Cook Street, they saw a male Hispanic walking south on the west sidewalk of Cook Street. Deputy Rojas said the male was dressed like a gang member.

Deputy Rojas said when he made eye contact with this male, the male suddenly jumped over a fence in front of [redacted] Cook Street. Deputy Rojas saw the male (later identified as Suspect Padilla) run west bound down the driveway of the residence. Deputy Rojas said he thought that was suspicious because of the method the suspect entered the front yard. He said Deputy Garcia stopped the car and they got out. Rojas said he watched as the suspect ran west in the driveway and into the rear yard out-of-sight. He said they walked to the roll-away gate at the driveway and saw it was unlocked. They opened the gate, entered the driveway, and began to walk toward the rear yard. Rojas said they walked between the parked cars and the side of the house, utilizing them as cover. Rojas said he walked slightly behind Garcia and closer to the house wall. He saw Deputy Garcia clear the parked cars as they passed. Rojas said he was cautious because he had arrested several gang

members on Cook Street that were armed with a weapon and just one month prior, Rojas participated on a containment at El Segundo Boulevard and Cook Street for a male Hispanic who was armed and ran from a deputy. He said just before they got to the end of the driveway, they could hear a rattling noise coming from the rear yard. Deputy Rojas said Deputy Garcia was a little ahead of him, and when they got to the end of the driveway, he heard Deputy Garcia yell out, "Gun." Deputy Rojas said as he looked to the northwest portion of the back yard, he saw the same male Hispanic he saw running to the back yard holding a gun. He then saw the male suspect lift the gun up and point it at him and Deputy Garcia. Deputy Rojas said he thought the suspect was going to shoot him or his partner, so he shot 3 or 4 rounds at the suspect. Rojas said he stopped firing when the suspect lowered his weapon and ran around to the rear of the shed. Deputy Rojas said he attempted to radio that they had been involved in a shooting but did not believe the transmission went out. **IAB Note: A review of the radio traffic revealed the broadcast in fact did not transmit.** Deputy Rojas said the suspect then went behind the shed and came up over the shed, on top of the wall. The suspect straddled the top of the wall, turned his body and pointed the handgun at them. Deputy Rojas said the suspect was holding his gun in his right hand when he again pointed it at them. Deputy Rojas fired four or five rounds again at the suspect. Deputy Rojas said he saw the suspect go over the wall. Deputy Rojas said he and Deputy Garcia retreated back the first available cover, a parked car **(Refer to Exhibit C-6)**, and he maintained cover on the area while Deputy Garcia reloaded a fresh magazine. Once Garcia had reloaded, Deputy Rojas reloaded and they walked backward to their radio car, covering the rear yard. Deputy Rojas said he again broadcasted they had been involved in a shooting and began to set up containment of the area. Deputy Rojas said his back drop was the block wall and the shed.

Deputy Rojas said he ran to the southwest corner of Cook Street and El Segundo Boulevard to establish a north containment point. He contacted several residents and directed them out of the area due to the shooting. Rojas said he maintain a position behind a van, within sight of Deputy Garcia until he was relieved by assisting units.

INGRESO, Romeo, Deputy Sheriff, #[redacted]

Deputy Ingreso provided a supplementary report documenting his actions and observations as it related to the use of force on the suspect.

Deputy Ingreso said he responded to the area of Cook St. and El Segundo Blvd. in the unicorporated area of Los Angeles, regarding a deputy involved shooting. At the location Ingreso spoke with Deputies Garcia #[redacted] and Rojas #[redacted] both assigned to Century Station patrol unit #213B. Both deputies told him a male Hispanic (identified as S/Padilla) pointed a handgun at them inside the backyard at [redacted] Cook St. as they were attempting to detain him. Fearing for their lives, the deputies fired several rounds from their handguns at S/Padilla. S/Padilla climbed on top of a block wall on the west side of the property. Another volley of gunfire took place as S/Padilla was on the block wall. Deputies Garcia and Rojas lost sight of the suspect and established a perimeter of the immediate area. The deputies requested a canine unit to assist them. Deputies Garcia and Rojas furnished a description and last known location.

Deputy Ingreso wrote that a Los Angeles County Sheriff's helicopter unit began to describe the area where S/Padilla was last seen. The helicopter unit described the property to the west as thick with tall vegetation and possibly had a dog in the yard **(Refer to Exhibit C-12)**. This immediate area was directly west of where the exchange of gunfire took place. Deputies Garcia and Rojas told me they believed S/Padilla fled into that area and was concealed in the thick vegetation.

Sergeant Beggs #[redacted] assigned to the Canine Services Detail approved the deployment of the canine to search the rear yard for the suspect.

As Ingreso was preparing to deploy his service dog, the Los Angeles County Sheriff's helicopter unit told him they believed they had located S/Padilla directly near the block wall where he was last seen. The helicopter told him the person they located was laying in very heavy vegetation. Ingreso said he believed this thick vegetation gave the suspect a tactical advantage and provided him with the cover and concealment necessary to carry out an ambush of law enforcement personnel. He said he also believed it would be safer for law enforcement personnel and the suspect himself if a police service dog was used to locate him. The helicopter unit described the area as a thick green belt directly behind [redacted] Cook St. Deputy Ingreso advised the perimeter deputies of the possible sighting and assembled an arrest team comprised of Special Enforcement Bureau personnel.

After the search team was assembled, they deployed into the yard at [redacted] Cook Street, one property south of where the deputy involved shooting took place. The team cleared the yard. The canine team climbed over the chain link fence and entered the green belt area. Deputy Ingreso said he looked north and saw a male Hispanic laying on the ground next to the block wall. Deputy Ingreso made several verbal canine announcements and Ingreso instructed S/Padilla to place his hands in the air. S/Padilla refused to comply.

Sergeant Beggs directed Ingreso to use his police service dog to detain S/Padilla. Ingreso released his police service dog and the dog made his way through the vegetation and eventually made contact with S/Padilla. Ingreso's police service dog detained S/Padilla by biting him in the head and neck area. The arrest team then made a tactical approach. As Ingreso's police service dog was biting S/Padilla, Ingreso determined the suspect was no longer armed. Ingreso removed his police service dog from S/Padilla and led his police service dog away, preventing any further contact between the two. Ingreso saw that S/Padilla had suffered an apparent gunshot wound to his head. Deputies Vilander and Burakowski, E.S.D. paramedics, who were on scene during the apprehension, immediately began rendering medical aid to S/Padilla. Deputies Burakowski and Vilander pronounced S/Padilla dead at the scene at 1226 hours.

IAB Note: The Medical Examiner, Louis Pena, M.D., offered the opinion that the suspect was still alive at the time of the canine bite. Refer to Exhibit A, page 76.

IAB Note: Deputy Ingreso prepared a supplementary report, for details of the event refer to his report, Exhibit A, pages 17 - 20).

NON-DEPARTMENT WITNESS STATEMENTS:

[redacted] MH/37, DOB: [redacted] [redacted].

On 07-07-2005, Thursday, at 1435 hours, Homicide Sergeant Katz conducted an interview with Witness [redacted] Present for the interview was Internal Affairs Bureau Sergeant Larry Landreth and the interview took place at Magic Johnson Park. The deputy involved shooting occurred in the backyard of his residence.

Witness [redacted] said he has lived at the location for approximately one and a half years and at the time the shooting occurred, he was the only person present at the residence.

Witness [redacted] stated he was home asleep at the time the shooting occurred. He said he woke up at approximately 1135 hours in order to use the restroom. He stated he was not awakened by anything unusual and simply awoke from sleep. He stated he walked to the restroom located at the west portion of his residence and heard approximately five to seven shots. He stated the shots were fired in a consistent succession and there did not appear to be any spacing or gaps between the shots being fired.

Witness [redacted] said after hearing the shots being fired, he heard voices which sounded as though they were coming from the south side of his residence near the driveway area. He stated that although he could hear voices talking, he could not make out what was being said.

Witness [redacted] then stated he walked to his bedroom located in the southwest corner of the location and looked out the rear or west facing bedroom window which overlooks the backyard area. He stated that as he did, he could see three or four holes on the top portion of the cement wall running north and south along the west perimeter of his property. He indicated these holes were not present prior to the shooting incident occurring. He stated he did not see anyone in his backyard at the time he looked out the window.

Witness [redacted] stated he walked to the front door of his residence and opened the door. When he did, he saw a police car parked in the street directly in front of the driveway of his residence. He stated he closed his front door and returned to his bedroom where he quickly got dressed. After he did, he walked out the front door area of his residence again, at which time he saw a police officer in the driveway of his residence and another police officer standing by the police car which he had previously mentioned positioned in front

of the driveway of his residence.

Witness [redacted] told Detective Katz he returned inside of his home and waited until a deputy sheriff contacted him.

[redacted], FH/[redacted], [redacted] was interviewed on 07-07-2005, Thursday, at 1557 hours, by Homicide Detective Sergeant Katz and Sergeant Larry Landreth, Internal Affairs Bureau. The interview was recorded for review. Witness [redacted] resides approximately [redacted] residences [redacted] and on the east side from where the shooting incident occurred.

[redacted] said she was driving her personal vehicle southbound on Cook Street and was approximately five houses away from her residence when she saw a black and white patrol car behind her vehicle. She indicated that she drove to the intersection of 130th Street and Cook Street, where she executed a U-turn and drove northbound on Cook Street. She stated she stopped her vehicle, parking it at the east curb line of Cook Street in front of her residence.

[redacted] stated the radio car which was following behind her turned left or eastbound onto 130th Street and momentarily disappeared from view as she continued to execute her U-turn and travel northbound on Cook Street. She indicated that as she parked her vehicle, she again saw the black and white radio car return to Cook Street, traveling northbound from 130th Street.

She stated she had exited her vehicle and had approached the front door of her residence when she saw the radio car traveling northbound. She stated that she stayed at the front door of her residence as the radio car passed. She indicated as the radio car passed her position, the deputy sheriff inside of the car looked in her direction as the car passed her.

[redacted] stated she was entering the front door of her residence when she heard shots ring out. She indicated she heard these shots being fired less than one minute after the black and white radio car came to a stop on Cook Street. She stated she entered her residence and warned her kids to get in the house with her. She stated several of her children were actually playing in the front yard of the residence. There is a [redacted] fence which divides the west property line of the residence from the sidewalk, grass area and Cook Street.

[redacted] stated she entered the northwest bedroom of the residence and looked out of the window which faces onto Cook Street. She stated as she did, she saw a young male riding a bicycle on Cook Street. She described this male as wearing a yellow shirt. She indicated that this male was riding in a southbound direction towards 130th Street and she only saw him briefly through the view provided by the west facing bedroom window. [redacted] said she did not notice anyone riding on a bicycle on Cook Street in the area where the shooting occurred prior to the shooting occurring. She did indicated she saw some Black people at a residence north of the shooting scene as she first drove southbound on Cook Street prior to the shooting occurring.

Witness [redacted] described hearing four to five gunshots and indicated they occurred in a continuous fashion, describing no space or delay between the shots being fired. She indicated after hearing the shots being fired, she remained in her house with her children as she was concerned about their safety. Witness [redacted] further described the individual she saw on the bicycle riding southbound after hearing the shots being fired as tall and slim, wearing yellow clothing, possibly a yellow-hooded sweatshirt or jacket.

Witness [redacted] stated she believed the police had been the ones who fired the shots as she heard them after the police passed her residence.

[redacted] MH/[redacted]

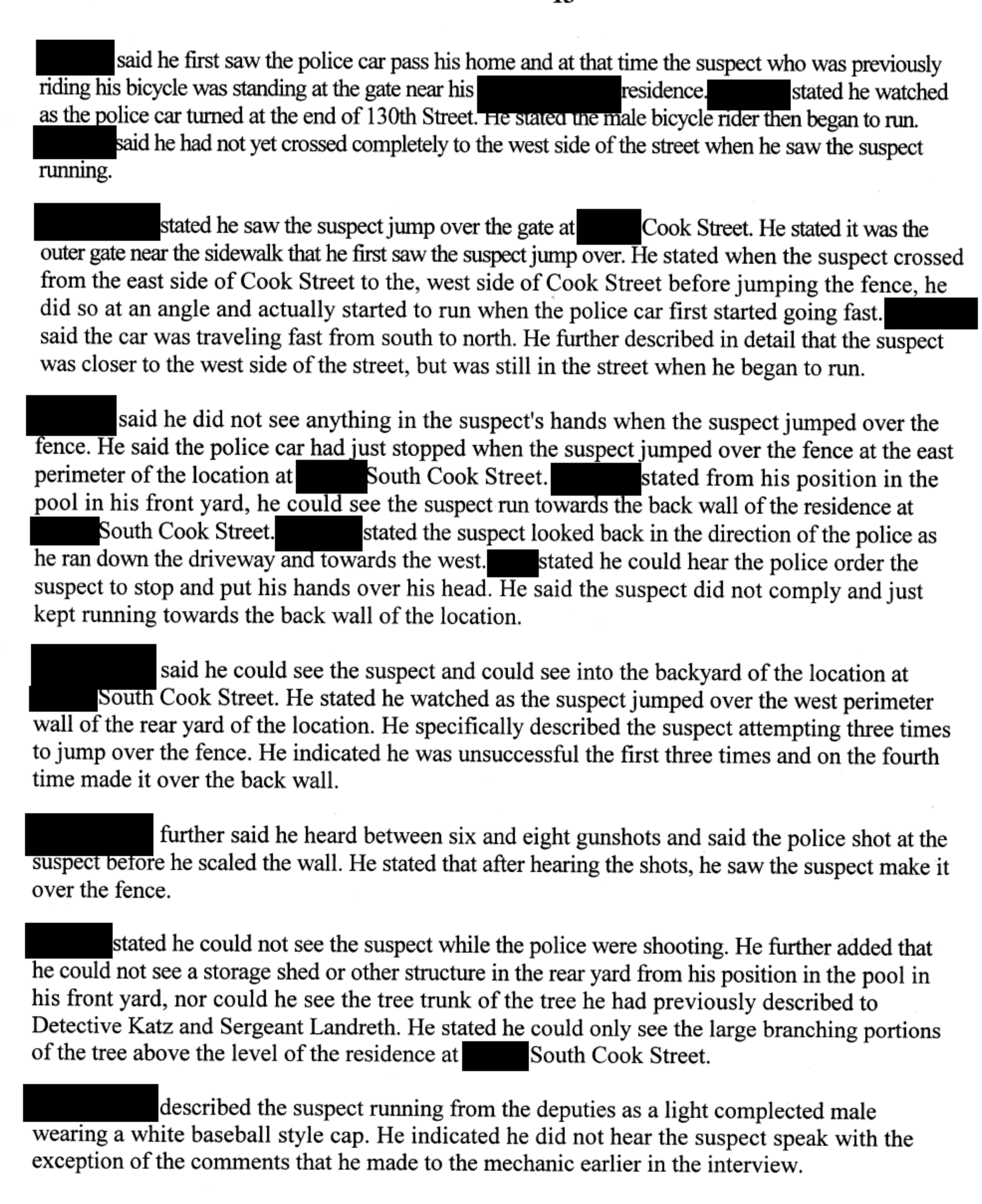
[redacted] was interviewed on July 7, 2005, at 1630 hours by Detective Sergeant Katz and Internal Affairs Bureau Sergeant Larry Landreth. Present with [redacted] was his [redacted] MH/29, DOB: [redacted] and his [redacted] FH/24, DOB [redacted] The interview took place across the street from their residence at the home of [redacted] parents. [redacted] actually resides at [redacted] on the [redacted] of the street approximately one house [redacted] and [redacted] the street from the location where the shooting occurred. [redacted] and [redacted] live directly [redacted] the street from them on the west side of Cook The interview was recorded for review.

[redacted] said he was playing in a small plastic pool which was situated on the driveway of the residence on the east side of the street. He indicated the pool was positioned on the north side of the driveway closest to the garage door. [redacted] said he was playing with his little brother in the pool and the two remained in the pool throughout the shooting incident.

Witness [redacted] said he saw a man riding his bicycle on Cook Street up and down the street. He indicated that the individual passed his residence approximately three times and was riding his bike back and forth from one house south of his residence to one house north of his residence. He described the first pass as being northbound when he saw the man on the bicycle, the second pass being southbound and the third pass being northbound.

Witness [redacted] went on to state on the third time he saw the suspect riding his bicycle, he stopped his bicycle on the east side of Cook Street, directly adjacent to a blue minivan which was parked at the east curb line in front of his residence. He stated the male riding the bicycle began to speak with the mechanic who was working on the car in front of the location. Subsequent investigation revealed the mechanic working on the vehicle was identified as [redacted] MB/46, DOB: [redacted] AKA [redacted] Mr. [redacted] resides at [redacted] and was later interviewed by Detective Katz and Sergeant Landreth.

[redacted] stated he could hear the male bicycle rider tell the mechanic that he was going to go home and lay down. He indicated the male bicycle rider left the bicycle on the east sidewalk adjacent to where the mechanic was working on the vehicle.



[redacted] said he first saw the police car pass his home and at that time the suspect who was previously riding his bicycle was standing at the gate near his [redacted] residence. [redacted] stated he watched as the police car turned at the end of 130th Street. He stated the male bicycle rider then began to run. [redacted] said he had not yet crossed completely to the west side of the street when he saw the suspect running.

[redacted] stated he saw the suspect jump over the gate at [redacted] Cook Street. He stated it was the outer gate near the sidewalk that he first saw the suspect jump over. He stated when the suspect crossed from the east side of Cook Street to the, west side of Cook Street before jumping the fence, he did so at an angle and actually started to run when the police car first started going fast. [redacted] said the car was traveling fast from south to north. He further described in detail that the suspect was closer to the west side of the street, but was still in the street when he began to run.

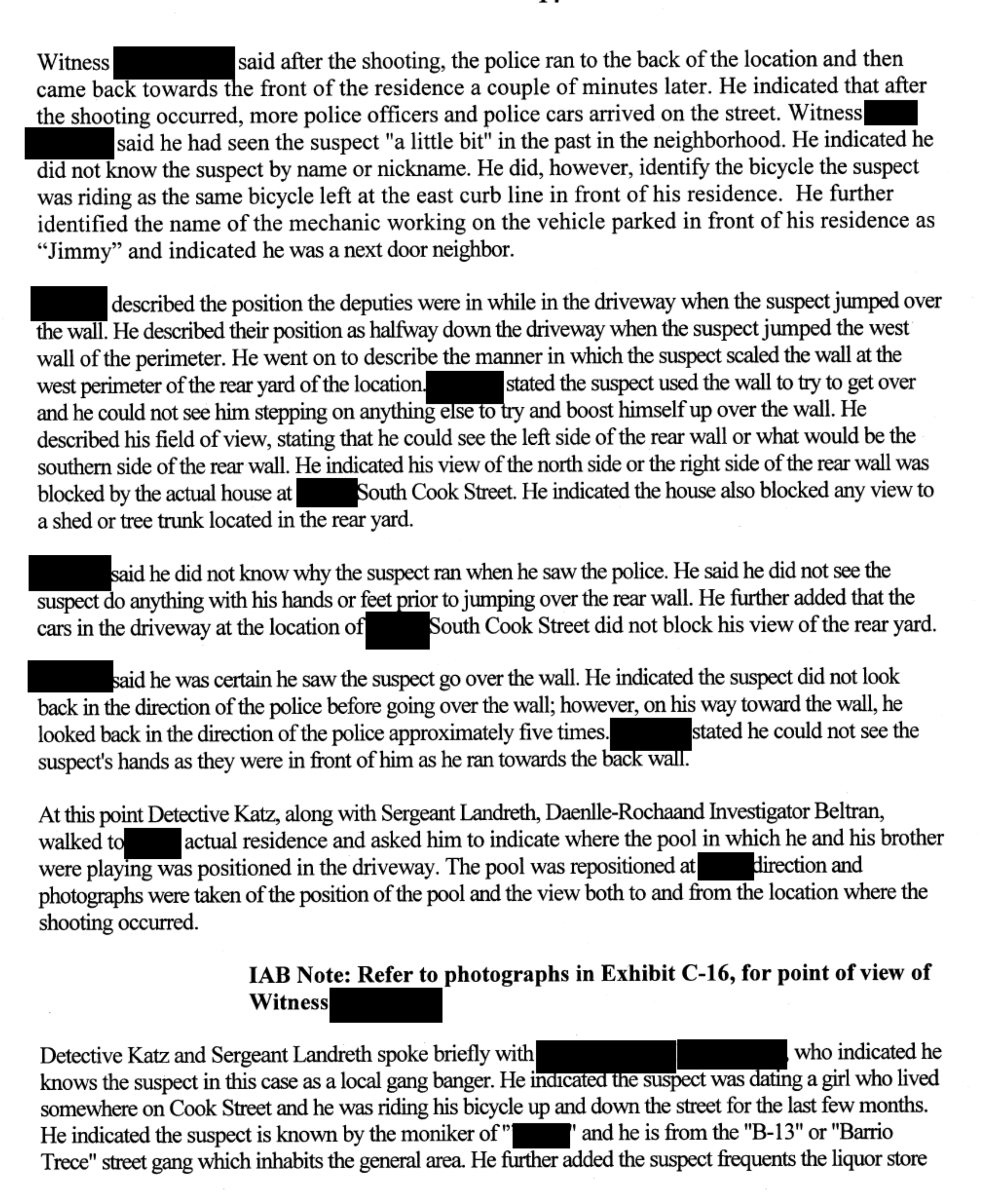
[redacted] said he did not see anything in the suspect's hands when the suspect jumped over the fence. He said the police car had just stopped when the suspect jumped over the fence at the east perimeter of the location at [redacted] South Cook Street. [redacted] stated from his position in the pool in his front yard, he could see the suspect run towards the back wall of the residence at [redacted] South Cook Street. [redacted] stated the suspect looked back in the direction of the police as he ran down the driveway and towards the west. [redacted] stated he could hear the police order the suspect to stop and put his hands over his head. He said the suspect did not comply and just kept running towards the back wall of the location.

[redacted] said he could see the suspect and could see into the backyard of the location at [redacted] South Cook Street. He stated he watched as the suspect jumped over the west perimeter wall of the rear yard of the location. He specifically described the suspect attempting three times to jump over the fence. He indicated he was unsuccessful the first three times and on the fourth time made it over the back wall.

[redacted] further said he heard between six and eight gunshots and said the police shot at the suspect before he scaled the wall. He stated that after hearing the shots, he saw the suspect make it over the fence.

[redacted] stated he could not see the suspect while the police were shooting. He further added that he could not see a storage shed or other structure in the rear yard from his position in the pool in his front yard, nor could he see the tree trunk of the tree he had previously described to Detective Katz and Sergeant Landreth. He stated he could only see the large branching portions of the tree above the level of the residence at [redacted] South Cook Street.

[redacted] described the suspect running from the deputies as a light complected male wearing a white baseball style cap. He indicated he did not hear the suspect speak with the exception of the comments that he made to the mechanic earlier in the interview.



Witness [redacted] said after the shooting, the police ran to the back of the location and then came back towards the front of the residence a couple of minutes later. He indicated that after the shooting occurred, more police officers and police cars arrived on the street. Witness [redacted] said he had seen the suspect "a little bit" in the past in the neighborhood. He indicated he did not know the suspect by name or nickname. He did, however, identify the bicycle the suspect was riding as the same bicycle left at the east curb line in front of his residence. He further identified the name of the mechanic working on the vehicle parked in front of his residence as "Jimmy" and indicated he was a next door neighbor.

[redacted] described the position the deputies were in while in the driveway when the suspect jumped over the wall. He described their position as halfway down the driveway when the suspect jumped the west wall of the perimeter. He went on to describe the manner in which the suspect scaled the wall at the west perimeter of the rear yard of the location. [redacted] stated the suspect used the wall to try to get over and he could not see him stepping on anything else to try and boost himself up over the wall. He described his field of view, stating that he could see the left side of the rear wall or what would be the southern side of the rear wall. He indicated his view of the north side or the right side of the rear wall was blocked by the actual house at [redacted] South Cook Street. He indicated the house also blocked any view to a shed or tree trunk located in the rear yard.

[redacted] said he did not know why the suspect ran when he saw the police. He said he did not see the suspect do anything with his hands or feet prior to jumping over the rear wall. He further added that the cars in the driveway at the location of [redacted] South Cook Street did not block his view of the rear yard.

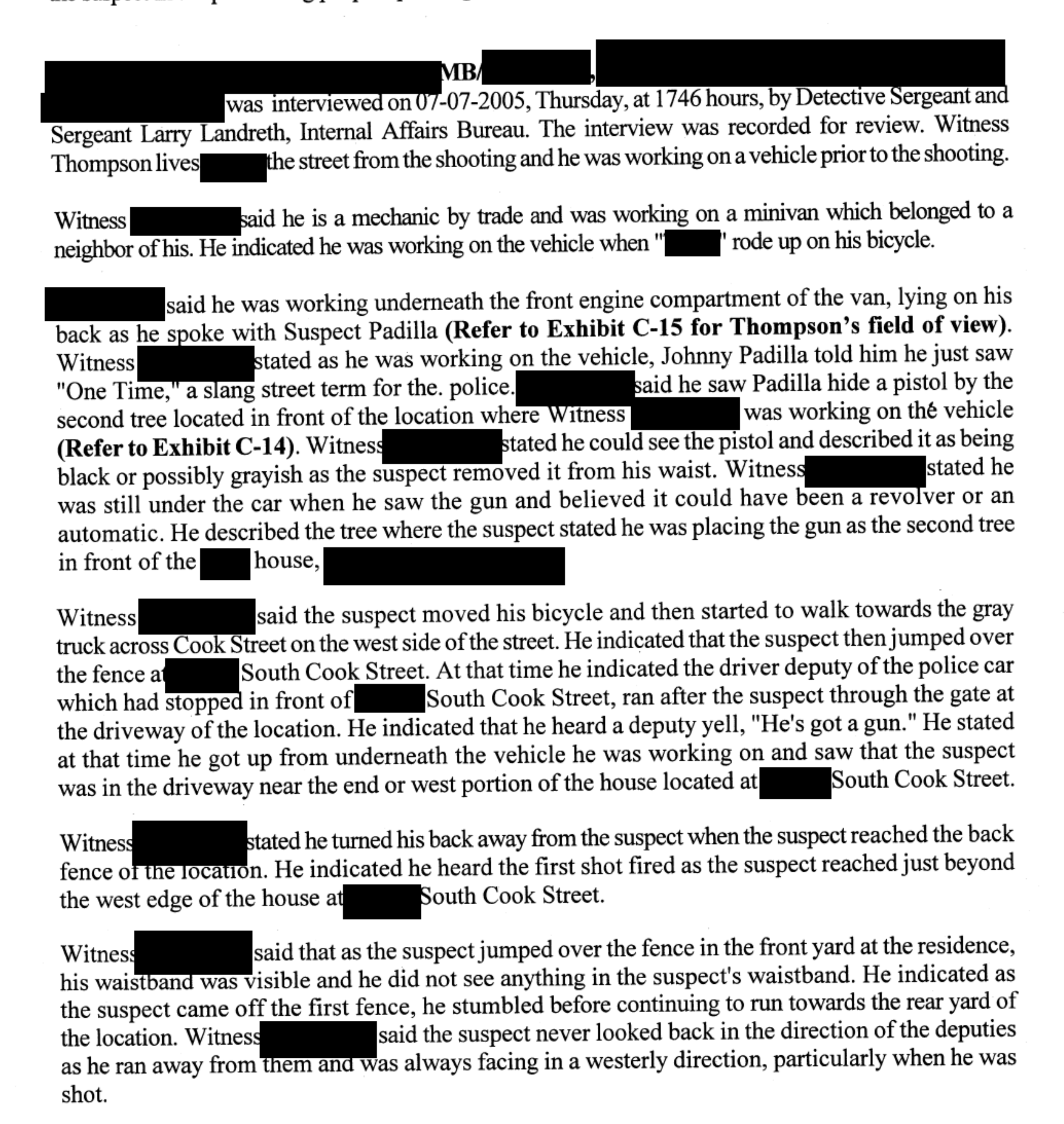
[redacted] said he was certain he saw the suspect go over the wall. He indicated the suspect did not look back in the direction of the police before going over the wall; however, on his way toward the wall, he looked back in the direction of the police approximately five times. [redacted] stated he could not see the suspect's hands as they were in front of him as he ran towards the back wall.

At this point Detective Katz, along with Sergeant Landreth, Daenlle-Rochaand Investigator Beltran, walked to [redacted] actual residence and asked him to indicate where the pool in which he and his brother were playing was positioned in the driveway. The pool was repositioned at [redacted] direction and photographs were taken of the position of the pool and the view both to and from the location where the shooting occurred.

IAB Note: Refer to photographs in Exhibit C-16, for point of view of Witness [redacted]

Detective Katz and Sergeant Landreth spoke briefly with [redacted], who indicated he knows the suspect in this case as a local gang banger. He indicated the suspect was dating a girl who lived somewhere on Cook Street and he was riding his bicycle up and down the street for the last few months. He indicated the suspect is known by the moniker of "[redacted]" and he is from the "B-13" or "Barrio Trece" street gang which inhabits the general area. He further added the suspect frequents the liquor store

and mini-mart located at the corner of San Pedro Street and El Segundo Boulevard. He stated he has seen the suspect in the past hitting people up for cigarettes and other items.



[redacted]MB/[redacted], [redacted] was interviewed on 07-07-2005, Thursday, at 1746 hours, by Detective Sergeant and Sergeant Larry Landreth, Internal Affairs Bureau. The interview was recorded for review. Witness Thompson lives [redacted] the street from the shooting and he was working on a vehicle prior to the shooting.

Witness [redacted] said he is a mechanic by trade and was working on a minivan which belonged to a neighbor of his. He indicated he was working on the vehicle when "[redacted]" rode up on his bicycle.

[redacted] said he was working underneath the front engine compartment of the van, lying on his back as he spoke with Suspect Padilla **(Refer to Exhibit C-15 for Thompson's field of view)**. Witness [redacted] stated as he was working on the vehicle, Johnny Padilla told him he just saw "One Time," a slang street term for the. police. [redacted] said he saw Padilla hide a pistol by the second tree located in front of the location where Witness [redacted] was working on the vehicle **(Refer to Exhibit C-14)**. Witness [redacted] stated he could see the pistol and described it as being black or possibly grayish as the suspect removed it from his waist. Witness [redacted] stated he was still under the car when he saw the gun and believed it could have been a revolver or an automatic. He described the tree where the suspect stated he was placing the gun as the second tree in front of the [redacted] house, [redacted]

Witness [redacted] said the suspect moved his bicycle and then started to walk towards the gray truck across Cook Street on the west side of the street. He indicated that the suspect then jumped over the fence at [redacted] South Cook Street. At that time he indicated the driver deputy of the police car which had stopped in front of [redacted] South Cook Street, ran after the suspect through the gate at the driveway of the location. He indicated that he heard a deputy yell, "He's got a gun." He stated at that time he got up from underneath the vehicle he was working on and saw that the suspect was in the driveway near the end or west portion of the house located at [redacted] South Cook Street.

Witness [redacted] stated he turned his back away from the suspect when the suspect reached the back fence of the location. He indicated he heard the first shot fired as the suspect reached just beyond the west edge of the house at [redacted] South Cook Street.

Witness [redacted] said that as the suspect jumped over the fence in the front yard at the residence, his waistband was visible and he did not see anything in the suspect's waistband. He indicated as the suspect came off the first fence, he stumbled before continuing to run towards the rear yard of the location. Witness [redacted] said the suspect never looked back in the direction of the deputies as he ran away from them and was always facing in a westerly direction, particularly when he was shot.

IAB Note: This appears to be in conflict from what Witness [redacted] told

> **investigators. Witness [redacted] also admitted that he was near sighted and could not see in the distance very well.**

Witness [redacted] reiterated that one of the deputies was warning his partner of a gun as he yelled out that the suspect had a weapon. Witness [redacted] said after the shooting, the area in which the suspect had allegedly hidden his gun in a tree was checked by two deputies and one Detective. He indicated the suspect would also frequently hide rock cocaine in the same general location. He indicated he knew the suspect to sell cocaine.

Witness [redacted] was directed to position himself underneath the van when he was making the repairs and the suspect first presented himself. Deputy Garcia of the Sheriff's Crime Lab photographed the angle from the ground in front of the van in the direction of the [redacted] house wherein Witness [redacted] stated the suspect told him he was going to hide a gun after seeing the police. Witness [redacted] told investigators he did not see the actual gun being placed in the tree; however, he saw what he believed to be a motion or movement consistent with the suspect placing a gun into the tree.

> **IAB Note: The cypress tree was secured and the Crime Lab checked the tree for the weapon, but it was not found.**

Witness [redacted] stated the suspect went down and went out of his view. He could no longer see him in the rear yard of the residence. He stated he believed the suspect was hit by gunfire which caused him to fall.

Witness [redacted] stated after the shooting occurred, he yelled at the deputies to let them know he believed the gun the suspect was in possession of was actually in a tree in front of [redacted]. Witness [redacted] stated he did not see anyone approach the tree where he said the gun had been hidden by the suspect. He further indicated that no one else was around when the suspect made the statement to him that he was going to be putting a gun in the tree.

Witness [redacted] stated he has known the suspect for a fairly long period of time and said he recalled in the past the suspect would steal cars and frequently park them on Cook Street after he was finished driving them. He described the suspect as a good kid that went bad.

Witness [redacted] stated he did not know if the suspect was a member of a street gang. He stated the suspect would hang around with gang members and would sell drugs. He indicated the suspect was seeing a girl who lived on Cook Street; however, he did not recall her name and stated she was not home when the shooting occurred.

[redacted] MH/[redacted]

[redacted] was interviewed on 07-07-2005, Thursday, at 1850 hours, by Homicide Detective Sergeant Steve Katz and Sergeant Larry Landreth, Internal Affairs Bureau. The interview was recorded for review. Witness [redacted] lives across the street and to the north from the shooting and was outside at the time of the shooting.

[redacted] told investigators he was taking the trash out to the front side yard of his family's residence. He said from where he was, it gave him a clear view of Cook Street to the west. [redacted] said he saw a radio car traveling northbound on Cook Street and watched it stop in the driveway at [redacted] Cook Street.

Witness [redacted] stated he saw the suspect on the west side of Cook Street walking southbound. He said the suspect was wearing a white T-shirt; however, he did not see his face. He indicated he had a previous contact with the suspect and that is why he knew him.

Witness [redacted] stated the suspect was in front of the [redacted] house across the street from his residence when he first started running. He said the police car came to a stop and the suspect started to run.

Witness [redacted] described the suspect as popping up out of nowhere on the west side of the street in front of the [redacted] house. He indicated as the suspect ran from the deputies, he heard a deputy state, "He has a gun." He indicated this statement was made before the suspect jumped the fence and ran westbound through the driveway into the rear yard at [redacted] South Cook Street.

Witness [redacted] stated that once the suspect jumped over the fence and ran westbound, he was unable to see him. Witness [redacted] stated that 4 to 5 seconds after the suspect jumped the fence, he heard one gunshot. He stated he thought the shot was fired by the suspect. He thought this because the police said he had a gun and the suspect fired to get away from the police. [redacted] said right after the first shot, he heard six to eight more shots being fired.

Witness [redacted] stated he ran into his house after hearing the shots being fired. He stated he saw a lot of police arrive approximately 5 minutes later. Witness [redacted] stated that when he first saw the suspect on Cook Street walking, he could not see his hands as the view of them was blocked by bushes. He indicated he could only see the suspect from the waist and higher. He said that cars parked on the street and bushes in front of the location blocked his view. He stated the last thing he saw was the suspect jumping into the yard at [redacted] South Cook Street. He further added that after hearing the shots fired, he heard someone screaming.

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator:	Detectives Steven Lankford and Rick Graves, Homicide Bureau
Court:	N/A
Charges Filed	None
Court Date	N/A
Plea/Conviction:	N/A
Sentence:	N/A

PROPERTY DAMAGE:

Fifteen Bullet strikes were identified by the Crime Lab. These impacts were to a metal shed, block wall, and a wooden fence at [redacted]

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Officer Involved Shooting Form
Force Committee Review Summary

Exhibits

Exhibit A	Homicide investigation book, under file # 005-11602-2141-013, prepared by Detectives Lankford and Graves.
Exhibit B	District Attorney's Letter of Opinion for Deputy Involved Shooting, under IAB file# SH2150710.
Exhibit C	Photographs of scene, suspect location, and perspectives of witnesses
Exhibit D	Crime scene diagram and diagrams completed by Deputies Rojas and Garcia during their IAB interviews.

Miscellaneous Documents

Administrative Rights/Force/Shooting Review Forms
Range qualification and training records for Deputies Garcia and Rojas
Sheriff's Memorandum from Chief Castro to Sheriff Baca